

### AMENDMENTS TO THE CLAIMS

**Please cancel Claim 8 without prejudice.**

1. (Original) A fastener comprising:  
a shaft having a first end and second end;  
an exposed portion attached to the first end of the shaft; and  
an identifying color on the exposed portion, the identifying color pre-selected to correspond to at least one specified physical property of the fastener, the identifying color capable of being recognized by a person of normal vision from a distance of at least 18 feet when the shaft has been inserted into a surface.

2. (Original) The fastener of Claim 1, further comprising a second identifier on the exposed portion, the second identifier corresponding to at least a second specified physical property of the fastener.

3. (Original) The fastener of Claim 2, wherein the second identifier is a color.

4. (Original) The fastener of Claim 2, wherein the second identifier is a letter.

5. (Original) A method of identifying physical properties of inserted fasteners from a distance, comprising:

applying a colored coating over the surface of an exposed portion of the fastener prior to using the fastener, wherein the colored coating has been pre-selected to correspond to at least one physical property of the fastener; and

inserting the fastener so that the coloring on the exposed portion remains visible and may be determined by a person of normal vision from a distance.

6. (Original) The method of Claim 5, wherein the distance is 15 feet.

7. (Original) The method of Claim 5, wherein the distance is 18 feet.

8. (Canceled)

9. (Original) A method of identifying fastener physical properties during building inspection, comprising:

selecting a plurality of colors to apply to an exposed surface of a fastener, where each color connotes one or more properties of the fastener;

applying one of said plurality of colors to the exposed surface of the fastener, so that the color may be recognized by a person of normal vision from a distance of at least 10 feet;

inserting the fastener into an object; and

providing a building inspector with color key indicating the physical properties that each selected color connotes.

10. (Canceled)

11. (Canceled)

12. (Canceled)

13. (Original) A method of making a fastener with physical properties which are identifiable from a distance, comprising:

pre-selecting a plurality of colors where each color corresponds to at least one specified physical property of a fastener;

providing a fastener having a known physical property; and

applying a specified color of the plurality to the fastener so that the color may be determined from a distance, the specified color having been pre-selected to define the known physical property of the fastener.

14. (Canceled)

15. (Canceled)

16. (Canceled)

17. (Canceled)

18. (Canceled)

19. (Canceled)

20. (Canceled)

21. (Canceled)

22. (Canceled)

23. (Canceled)

24. (Canceled)

25. (Canceled)

26. (Canceled)

27. (Canceled)

28. (Canceled)

29. (Canceled)

30. (Canceled)

31. (Canceled)

**Appl. No.** : **10/728,693**  
**Filed** : **December 5, 2003**

- 32. (Canceled)
- 33. (Canceled)
- 34. (Canceled)
- 35. (Canceled)
- 36. (Canceled)
- 37. (Canceled)
- 38. (Canceled)
- 39. (Canceled)
- 40. (Canceled)
- 41. (Canceled)
- 42. (Canceled)
- 43. (Canceled)
- 44. (Previously presented) A fastener comprising:
  - a shaft having a first end and second end;
  - an exposed portion attached to the first end of the shaft; and
  - an identifying color on the exposed portion, the identifying color pre-selected to correspond to at least one specified physical property of the fastener, the identifying color capable of being recognized by a person of normal vision from a distance of at least 10 feet when the shaft has been inserted into a surface.
- 45. (Previously presented) The fastener of Claim 1, wherein the fastener is a nail.
- 46. (Previously presented) The fastener of Claim 1, wherein the fastener is a bolt.
- 47. (Previously presented) The fastener of Claim 1, wherein the fastener is a staple.
- 48. (Previously presented) The fastener of Claim 1, wherein the fastener is a rivet.
- 49. (Previously presented) The fastener of Claim 1, wherein the fastener is a screw.
- 50. (Previously presented) The fastener of Claim 1, wherein the fastener is a wedge anchor bolt.
- 51. (Previously presented) The fastener of Claim 1, wherein the fastener is an anchor bolt.
- 52. (Previously presented) The fastener of Claim 1, wherein the fastener is a bolt and nut.
- 53. (Previously presented) The fastener of Claim 1, wherein the fastener is a lag bolt.

54. (Previously presented) The fastener of Claim 1, further comprising a symbol, the symbol being pre-selected to correspond to at least one specified physical property of the fastener.

55. (Previously presented) The fastener of Claim 1, further comprising a letter, the letter being pre-selected to correspond to at least one specified physical property of the fastener.

56. (Previously presented) The fastener of Claim 1, further comprising a number, the number being pre-selected to correspond to at least one specified physical property of the fastener.

**Please add the following Claims:**

- 57. (New) The method of Claim 5, wherein the fastener is a nail.
- 58. (New) The method of Claim 5, wherein the fastener is a bolt.
- 59. (New) The method of Claim 5, wherein the fastener is a staple.
- 60. (New) The method of Claim 5, wherein the fastener is a rivet.
- 61. (New) The method of Claim 5, wherein the fastener is a screw.
- 62. (New) The method of Claim 5, wherein the fastener is a wedge anchor bolt.
- 63. (New) The method of Claim 5, wherein the fastener is a anchor bolt.
- 64. (New) The method of Claim 5, wherein the fastener is a bolt and nut.
- 65. (New) The method of Claim 5, wherein the fastener is a lag bolt.
- 66. (New) The fastener of Claim 1, wherein the fastener is a nail.
- 67. (New) The fastener of Claim 1, wherein the fastener is a bolt.
- 68. (New) The fastener of Claim 1, wherein the fastener is a staple.
- 69. (New) The fastener of Claim 1, wherein the fastener is a rivet.
- 70. (New) The fastener of Claim 1, wherein the fastener is a screw.
- 71. (New) The fastener of Claim 1, wherein the fastener is a wedge anchor bolt.
- 72. (New) The fastener of Claim 1, wherein the fastener is a anchor bolt.
- 73. (New) The fastener of Claim 1, wherein the fastener is a bolt and nut.
- 74. (New) The fastener of Claim 1, wherein the fastener is a lag bolt.
- 75. (New) A fastener comprising:
  - a shaft having a first end and second end;
  - an exposed portion attached to the first end of the shaft; and

an identifying color on the exposed portion, the identifying color pre-selected to correspond to at least two specified physical properties of the fastener, the identifying color capable of being recognized by a person of normal vision from a distance of at least 18 feet when the shaft has been inserted into a surface.

76. (New) The fastener of Claim 75, wherein the fastener is a nail.
77. (New) The fastener of Claim 75, wherein the fastener is a bolt.
78. (New) The fastener of Claim 75, wherein the fastener is a staple.
79. (New) The fastener of Claim 75, wherein the fastener is a rivet.
80. (New) The fastener of Claim 75, wherein the fastener is a screw.
81. (New) The fastener of Claim 75, wherein the fastener is a wedge anchor bolt.
82. (New) The fastener of Claim 75, wherein the fastener is a anchor bolt.
83. (New) The fastener of Claim 75, wherein the fastener is a bolt and nut.
84. (New) The fastener of Claim 75, wherein the fastener is a lag bolt.
85. (New) The fastener of Claim 75, wherein the fastener has an indicia indicating a third physical property of the fastener.
  86. (New) The fastener of Claim 85, wherein the indicia is a symbol.
  87. (New) The fastener of Claim 85, wherein the indicia is a letter.
  88. (New) The fastener of Claim 85, wherein the indicia is a number.
  89. (New) A fastener comprising:
    - a shaft having a first end and second end;
    - an exposed portion attached to the first end of the shaft; and
    - an identifying color on the exposed portion, the identifying color pre-selected to correspond to at least two specified physical properties of the fastener, the identifying color capable of being recognized by a person of normal vision from a distance of at least 10 feet when the shaft has been inserted into a surface.

Appl. No. : 10/728,693  
Filed : December 5, 2003

### SUMMARY OF INTERVIEW

Applicants' attorney appreciates the courtesy extended by Examiner Wilson during the telephonic interview on May 24, 2004. Set forth below is Applicants' attorney's recollection of the subject matter discussed.

#### Exhibits and/or Demonstrations

Reference was made to prior exhibit shown to the Examiner in connection with an interview held in relation to U.S. Patent No. 6,095,739. A copy of the Interview Summary from that interview is attached hereto. In referring to the prior exhibit, reference was made to a side-by-side comparison of the present invention and the disclosure in U.S. Patent No. 5,511,917 to Dickson ("Dickson"). Applicants represented to the Examiner that the markings of Dickson, meant to indicate physical properties of fasteners, could not be ascertained from a distance as recited in the claims of the then-pending application. The exhibit was used to illustrate this patentable distinction.

#### Identification of Claims Discussed

Claim 1.

#### Identification of Prior Art Discussed

U.S. Patent No. 5,511,917 to Dickson.

#### Proposed Amendments

Proposal of new claims more similar to language used in claims of U.S. Patent No. 6,095,739.

#### Principal Arguments and Other Matters

See Remarks.

#### Results of Interview

Examiner would consider pending rejection and new claims.